

Docket No. J&J5081

IFW

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: R. B. Estanislao et al Confirmation No.: 6024

Serial No.: 10/681,053

Art Unit: 1615

Filed

: October 7, 2003

Examiner:

For

: Product for Administration of Active Agents to

Different Areas of the Skin

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 16 2004
(Date of Deposit)

Brett T. Freeman
(Name of applicant, assignee, or Registered Representative)

(Signature)

Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on October 7, 2003, and February 11, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information  $\square$ Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with [ ] the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10the fee of \$180.00 as set forth / in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

•
" " Chatamant in Assaudance with 51 07(a)
Statement in Accordance with §1.97(e)
(attached); or
Please charge Deposit Account No. 10-
0750/ / the fee of $$180.00$ as set forth
in §1.17(p).
In accordance with §1.97(d), this Information
Disclosure Statement is being filed after the mailing date of
either a Final Action under §1.113 or a Notice of Allowance
under §1.311 but before the payment of the Issue Fee.
Applicant(s) hereby petition(s) for consideration of this
Information Disclosure Statement. Included are: Statement in
Accordance with §1.97(e) as set forth below and the fee of
\$180.00 as set forth in \$1.17(p).
<u> </u>
$oxed{\boxtimes}$ Copies of each of the references listed on the
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTO-
1449 are enclosed herewith EXCEPT THAT:
In view of the voluminous nature of references
[list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.
If any of the foregoing publications are not
available to the Examiner, Applicant will
endeavor to supply copies at the Examiner's
request.
Copies of only foreign patent documents and non-
patent literature are enclosed in accordance with 37 CFR 1.98
(a)(2). (The U.S. patents and each U.S. patent application
publication listed on the attached Form PTO-1449 are not
enclosed because this U.S. patent application was filed after
June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).
There are no listed references which are not in the English language.
The relevance of those listed references which are not in the English language is as follows: English language abstract is provided for JP 2000-128732 A.
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.  Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .
Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/J&J5081/BTF. This form is submitted in triplicate.  Respectfully submitted,
Breet of o

Brett T. Freeman Reg. No. 46,709

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-3428 DATED: NIB 1 8 700 Substitu

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

0	a collection of information unless it displays a	valid OMB control number.			
	Confirmation Number	6024			
	Application Number	10/681,053			
	Filing Date	October 7, 2003			
	First Named Inventor	R. B. Estanislao			
	Group Art Unit	1615			
	Examiner Name				
	Attorney Docket Number	J&J5081			

**U.S. PATENT DOCUMENTS** U.S. Patent Document Date of Publication Name of Patentee or Applicant Pages, Columns, Lines, Kind Code<sup>4</sup> Examiner Cite of Cited Document where relevant passages of Cited Document Initials Number (if known) or relevant figures appear No.1 mm-dd-yyyy 2002/0035046 Lukenbach et al. 03-21-2002 2002/0197289 A1 Chevalier et al. 12-26-2002

## FOREIGN PATENT DOCUMENTS

		Foreign Patent Document			Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	
Examiner Initials	Cite No. <sup>1</sup>	Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup>		ndCode <sup>5</sup>	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T <sup>8</sup>
		JP	2000-128732	А	Kao Corporation	05-09-2000	English Abstract	N
						-	&claim 1	
						, , , , , , , , ,		

Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.